

EDMUND G. BROWN
Attorney General

DOCUMENTS DEPT.
SAN FRANCISCO
PUBLIC LIBRARY

ARTHUR W. SPERRY
Chief of Division

J250
C8
1948/50

JUN 20 1951

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
DIVISION OF CRIMINAL LAW AND ENFORCEMENT

A STUDY OF
CRIMINAL CASES CLOSED
IN SAN FRANCISCO COUNTY

CALENDAR YEARS 1948-1949-1950

AS SHOWN BY THE RECORDS OF
THE DISTRICT ATTORNEY OF
SAN FRANCISCO COUNTY

BUREAU OF CRIMINAL STATISTICS
Serving:
DEPARTMENT OF JUSTICE
DEPARTMENT OF CORRECTIONS
YOUTH AUTHORITY

RONALD H. BEATTIE, Chief
FRED A. KNOLES, Deputy Chief

SACRAMENTO, CALIFORNIA
June 1, 1951

0218

3 1223 10226 0347

FOREWORD

With the continued cooperation of the office of the District Attorney of San Francisco County, it has been possible for us to compile data for the Calendar Year 1950, and to include it in a report which may be considered supplementary to the "Study of Criminal Cases Closed in San Francisco County - Calendar Years 1948-1949" issued in August 1950.

The tables of the 1948-49 report are repeated with the addition of the 1950 data, although renumbered to permit the inclusion of five new tables in their proper places. It has not been considered necessary to repeat the explanation and analysis of the tables carried in the former report.

In this report, Tables I and II, "Procedural Outcome of Cases - 1950," are basic tables relating to offenses as charged and as they appeared at the time of disposition. Tables XXIII, XXIV and XXV, relate to time intervals not shown in the previous report.

Analysis of the records of the San Francisco District Attorney's office, was originally undertaken as a pilot study to determine the problems which would be involved in obtaining and analyzing charges brought in Superior courts, the procedures which were applied to them, their final outcome and the final disposition of the defendants. From evaluation of the methods used and the results achieved, it has been possible to outline a reporting system which can be readily applied in any district attorney's office in the State for the purpose of securing accurate comparable information on trials in the Superior courts.

Our thanks are extended to Attorney General Edmund G. Brown, the former District Attorney of San Francisco County, Thomas C. Lynch, District Attorney of San Francisco County and George J. McLaughlin, Administrative Assistant, District Attorney's office, San Francisco, for their wholehearted cooperation and encouragement.

A Study of Criminal Cases Closed in San Francisco County

Calendar Years 1948-1949-1950

As Shown by the Records of the District Attorney of San Francisco County

SOURCE OF DATA

The basic data used in this study were obtained from 5" x 8" visible index cards which comprised a part of the record system of the San Francisco District Attorney's office and contained information on each criminal action handled by that office. Each time a charge was filed a new card was set up and on it was posted information about each successive step in the development of the case. After final disposition and the completion of the record, each card, known as the "Felonv Trial Record," was forwarded to the Bureau of Criminal Statistics. In brief, the "Felonv Trial Record" card recorded the following facts about each action:

- (1) The offense or offenses charged;
- (2) The date action was filed and whether the proceeding was by Information, Indictment or Certification,
- (3) The date of first plea and nature of plea,
- (4) The date and nature of amended plea,
- (5) The date trial commenced and if by jury or court,
- (6) The verdict and its date,
- (7) The date and reason for dismissal, if dismissed,
- (8) The date of sentence and the actual sentence; ie: jail, prison, probation,
- (9) The date probation was granted and whether it included jail, fine or restitution, and finally,
- (10) The date and nature of any other disposition.

TABLE I
PROCEDURAL OUTCOME OF CASES - 1950

Part I

Original Charge	Proceeding			Disposed of Without Conviction				
	Total	Information	Indictment	Certification	Total	Dismissed	Acquitted by Jury	Acquitted by Court
Total	1289	996	32	261	210	115	61	27
Homicide	24	23	1	-	6	1	3	2
Robbery	147	110	2	35	26	12	13	1 (insane)
Aggravated assault	58	57	1	-	16	7	3	2 (insane)
Burglary	228	148	-	80	15	11	3	
Grand theft	72	51	7	14	9	4		2
Petty theft with prior	5	4	-	1	-	1		2
Auto theft	43	29	-	14	7	2		2
Stolen property	8	5	-	3	1	1		
Forgery and checks	106	42	7	57	7	5	6	2
Rape	52	46	-	6	12	1	5	1
Sex	44	43	-	1	14	1	12	1
Narcotics	305	261	1	43	47	34	5	8
Weapons	17	14	-	3	2			
Abortion	9	-	8	1	-			
Kidnaping	7	7	-	-	-	2	3	3
Driving while intoxicated	7	7	-	-	2	2		1
Failure to render aid	10	10	-	-	20	14		
Gambling	64	64	-	-	13	8	6	
Miscellaneous felony offenses	41	33	5	3	11	4		
Contributing to delinquency of minor*	42	42	-	-				

* Misdemeanor triable only in Superior Court

Digitized by the Internet Archive
in 2015

TABLE II
PROCEDURAL OUTCOME OF CASES - 1950

Part 2

Final Charge	Convictions					Sentences							
	Total	Per- cent	Plead Guilty	Guilty by Jury	Guilty by Court	Death	Prison	Youth Auth.	Prob. Without Jail	Prob. With Jail	Jail sus- pended	Jail	Other
Total	1079	100.0	891	101	117	0	234	42	220	150	26	397	10
Murder	92	0.8	4	5	1		9		1	2		1	
Manslaughter (Non Neg.)	5	0.5			2		1		1	1			
Manslaughter (veh.)	2	0.2	1	1	1		1		1	1			
Manslaughter (misd.)	2	0.2			2			10	1	1	1	11	
Robbery	98	0.9	69	22	7		50		10	16	1	18	
Assault (fel.)	33	3.0	17	7	9		7		6	1	1	10	
Assault (misd.)	29	2.7	24	1	4		15	17	14	3	9	69	
Burglary	197	18.2	166	10	23		49		30	12	2	15	1
Grand theft	59	5.5	48	8	3		1		1	5	2	3	
Petty theft with prior	5	0.5	4		1		1		6	3	4	11	
Petty theft	26	2.4	25	1	1		12	5	6	5	1	10	
Grand theft (auto)	37	3.4	31		5		1		1	6	1	4	1
Stolen property	12	1.1	9	1	3		1		22	14		26	
Forgery and bad checks	94	8.7	90	5	3		27	3	5	5		5	
Rape	22	2.0	17	5			4		1				
Prostitution and vice	1	0.1	1				8		1			2	
Sex	24	2.2	11	9	4		3		3	10	1	17	
Narcotics	261	24.2	214	14	33		37	4	28	17	2	9	1
Weapons	16	1.5	15		1		6						
Offense against family or children	4	0.4	4	4			3			5	1	3	
Abortion	8	0.7			1					1			
Arson	1	0.1							2				
Bigamy	3	0.3	3	1						1	1	1	
Extortion	3	0.3	2							2			
Escape	1	0.1	1	1			1						
Kidnaping	1	0.1											
Perjury	2	0.2			1				2	1	1	1	
Driving while intoxicated	5	0.5	4		1				3			3	
Failure to render aid	6	0.5	5		1				3	4	1	4	5
Gambling	44	4.1	40		4		1		30	6		11	
Contributing to delinquency of minor	48	4.4	31	9	8		1		29	4	1	7	
Miscellaneous felony offenses	21	1.9	18	2	1				7				2

TABLE III
CHARGE GROUPS (Original)

Charge Group	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	1446	100.0	1325	100.0	1289	100.0
Homicide	43	3.0	24	1.8	24	1.9
Robbery	187	12.9	186	14.0	147	11.4
Aggravated assault	100	6.9	73	5.5	58	4.5
Burglary	176	12.2	184	13.9	228	17.7
Grand theft (except auto)	115	8.0	76	5.7	72	5.6
Petty theft (with prior)	6	0.4	8	0.6	5	0.4
Auto theft	60	4.1	65	4.9	43	3.3
Embezzlement and fraud	2	0.1	1	0.1	-	-
Stolen property	14	1.0	17	1.3	8	0.6
Forgery and bad checks	125	8.7	118	8.9	106	8.2
Rape	52	3.6	60	4.5	52	4.0
Prostitution and commercialized vice	0	.0	5	0.4	2	0.1
Sex offense (except rape & prostitution)	73	5.1	70	5.3	44	3.4
Narcotic drug laws	246	17.0	215	16.2	305	23.7
Weapons - possession or carrying	27	1.9	24	1.8	17	1.3
Offense against family or children	1	0.1	0	.0	4	0.3
Liquor laws	1	0.1	0	.0	-	-
Abortion	7	0.5	9	0.7	9	0.7
Arson	2	0.1	5	0.4	2	0.1
Bigamy	2	0.1	1	0.1	3	0.2
Extortion	1	0.1	3	0.2	3	0.2
Escape	7	0.5	4	0.3	1	0.1
Kidnaping	3	0.2	10	0.8	7	0.5
Perjury	4	0.3	1	0.1	2	0.1
Driving while intoxicated	18	1.2	10	0.8	7	0.5
Failure to render aid	21	1.4	19	1.4	10	0.8
Gambling	54	3.7	54	4.1	64	5.0
Miscellaneous felonies	16	1.1	18	1.4	24	1.9
Contributing to delinquency of minor	83	5.7	65	4.9	42	3.3

TABLE IV
PROCEEDINGS

Proceeding	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	1446	100.0	1325	100.0	1289	100.0
Information	1156	80.0	1052	79.4	996	77.3
Certification of "guilty" plea	247	17.0	232	17.5	251	20.2
Indictment	43	3.0	41	3.1	32	2.5

TABLE V
DISPOSITIONS

Dispositions	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	1446	100.0	1325	100.0	1289	100.0
Convicted	1218	84.1	1095	82.6	1079	83.6
Acquitted	98	6.8	107	8.1	88	6.8
Dismissal	118	8.1	119	9.0	118	9.2
Off calendar	9	0.6	1	0.1	0	0.0
Found insane (by court)	3	0.2	3	0.2	4	0.4

TABLE VI

DISPOSITIONS - CONVICTED

Manner of Conviction	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	1218	84.1	1095	82.6	1079	83.6
Convicted upon original plea of guilty	440	30.4	392	29.6	425	33.0
Convicted upon amended plea of guilty	551	35.6	457	34.5	436	33.7
Convicted by jury	112	7.7	108	8.1	101	7.8
Convicted by court	151	10.4	138	10.4	117	9.1

TABLE VII

DISPOSITIONS - ACQUITTED

Manner of Acquittal	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	98	6.5	107	8.1	88	6.8
Acquitted by jury	59	4.1	62	4.7	61	4.7
Acquitted by court	39	2.7	45	3.4	27	2.1

TABLE VIII

DISPOSITIONS - DISMISSED *

Reason for Dismissal	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	118	8.1	119	8.9	118	9.2
Lack of evidence	79	5.5	56	4.2	72	5.6
Interest of justice	21	1.5	23	1.7	23	1.8
*Defendant convicted in other action	5	0.3	12	0.9	8	0.6
Defendant escaped custody	2	0.1	0	.0	0	.0
Defendant jumped bail	1	0.1	0	.0	0	.0
Transferred to juvenile court	3	0.2	3	0.2	1	0.1
Returned to municipal court	0	.0	3	0.2	2	0.2
Defendant died	2	.1	3	0.2	5	0.4
To be witness (1099 P.C.)	0	.0	1	0.1	0	.0
Reason not given	5	0.3	18	1.4	6	0.5

*There were also actions in which other charges were dropped because of conviction in what was considered the same action. This occurred in the following number of actions:

1948 - 158 - 11.0%
 1949 - 139 - 10.3%
 1950 - 133 - 10.3%

TABLE IX

SEX

Sex	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	1446	100.0	1325	100.0	1289	100.0
Male	1346	93.1	1261	95.2	1188	92.2
Female	100	6.9	64	4.8	101	7.8

TABLE X
FIRST PLEAS

First Plea	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	1446	100.0	1325	100.0	1289	100.0
Not guilty	935	64.7	846	63.9	821	63.7
Guilty of major felony charged	417	28.8	399	30.1	403	31.2
Guilty of lesser felony	6	0.4	11	0.8	7	0.6
Guilty of misdemeanor	36	2.5	27	2.0	19	1.5
No plea	52	3.6	42	3.2	39	3.0

TABLE XI
AMENDED PLEAS

Amended Plea	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	505	34.9	418	31.5	436	33.8
Guilty of major felony charged	351	24.3	296	22.3	334	25.9
Guilty of lesser felony	45	3.1	46	3.5	28	2.2
Guilty of misdemeanor	109	7.5	76	5.7	74	5.7

TABLE XII
TRIALS

Manner of Trial	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	372	25.7	364	27.5	318	24.6
Trial by jury	182	12.6	181	13.7	172	13.3
Trial by court	190	13.1	183	13.8	146	11.3

TABLE XIII
RESULTS OF TRIAL

Result of Trial	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	372	25.8	364	27.5	318	24.5
Not guilty	98	6.8	107	8.1	92	7.1
Guilty of major felony charged	204	14.2	195	14.7	172	13.3
Guilty of lesser felony	22	1.5	14	1.1	19	1.4
Guilty of misdemeanor	37	2.6	37	2.8	27	2.1
Jury disagreed	11	0.7	11	0.8	8	0.6

TABLE XIV
RESULTS OF JURY TRIAL

Result of Trial	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	182	12.6	181	13.7	172	13.2
Not guilty	59	4.1	62	4.7	61	4.7
Guilty of major felony charged	90	6.2	85	6.4	84	6.5
Guilty of lesser felony	13	0.9	9	0.7	11	0.8
Guilty of misdemeanor	9	0.6	14	1.1	8	0.6
Jury disagreed	11	0.8	11	0.8	8	0.6

TABLE XV
RESULTS OF COURT TRIAL

Result of Trial	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	190	13.1	183	13.8	146	11.3
Not guilty	39	2.7	45	3.4	31	2.4
Guilty of major felony charged	114	7.9	110	8.3	88	6.8
Guilty of lesser felony	9	0.6	5	0.4	8	0.6
Guilty of misdemeanor	28	1.9	23	1.7	19	1.5

TABLE XVI
SENTENCES IMPOSED

Sentence	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	1219	84.3	1083	81.7	1082	83.9
Death	2	0.1	1	0.1	0	.0
Prison	282	19.5	243	18.3	235	18.1
Jail (with or without fine or restitution)	454	31.4	404	30.5	397	30.8
Probation (with or without jail, fine, restitution)	414	28.7	371	28.0	395	30.7
Fine or restitution only	15	1.0	18	1.4	10	0.8
Committed to Youth Authority	47	3.2	44	3.3	42	3.3
Committed to Dept. of Mental Hygiene	6	0.4	2	0.1	3	0.2

TABLE XVII
PROBATION

Condition of Probation	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	414	28.7	371	28.0	395	30.7
Probation and jail, and fine or restitution	53	3.7	25	1.9	23	1.8
Probation and jail	113	7.8	86	6.5	126	9.8
Probation and fine or restitution	104	7.2	107	8.1	103	8.0
Probation only	98	6.8	105	7.9	117	9.1
Suspended jail sentence	46	3.2	48	3.7	26	2.0

TABLE XVIII

ADDITIONAL CHARGES (original)

Charges	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	327	22.6	257	19.3	264	20.6
One	245	16.9	175	13.2	168	13.0
Two	61	4.2	61	4.6	64	5.0
Three	9	0.6	15	1.1	14	1.1
Four	7	0.5	3	0.2	5	0.4
Five or more	5	0.4	3	0.2	13	1.1

TABLE XIX

TIME INTERVALS - CHARGE TO FIRST PLEA

	1948	1949	1950
10 percent were less than	1 day	4 days	5 days (14%)
Median	8 days	8 days	9 days
10 percent were more than	18 days	17 days	23 days

TABLE XX

TIME INTERVALS - FIRST PLEA TO TRIAL OR AMENDED PLEA

	1948	1949	1950
10 percent were less than	8 days	8 days	8 days
Median	35 days	27 days	39 days
10 percent were more than	129 days	76 days	104 days

TABLE XXI

TIME INTERVALS - COMMENCEMENT OF TRIAL TO VERDICT

	1948	1949	1950
10 percent were less than	1 day	1 day	1 day (60%)
Median	1 day	Less than one day	Less than one day
10 percent were more than	37 days	3 days	6 days

TABLE XXII

TIME INTERVALS - VERDICT TO SENTENCE

	1948	1949	1950
10 percent were less than	1 day	1 day	1 day (21%)
Median	18 days	18 days	22 days
10 percent were more than	42 days	36 days	44 days

TABLE XXIII

TIME INTERVALS - CHARGE TO FINAL DISPOSITION

	1950
10 percent were less than	17 days
Median	49 days
10 percent were more than	125 days

TABLE XXIV

TIME INTERVAL BY PROCEEDINGS

CHARGE TO FINAL DISPOSITION
1950

	Information (996)	Certification (261)	Indictment (32)
10 percent were less than	20 days	7 days	71 days 25% less than
Median	60 days	28 days	104 days
10 percent were more than	132 days	44 days	155 days 25% more than

TABLE XXV

MEDIAN TIME INTERVAL

CHARGE TO FINAL DISPOSITION - BY OFFENSE (orig.)

Offense	Days
Homicide	106
Robbery	42
Aggravated assault	62
Burglary	37
Grand theft	64
Auto theft	38
Forgery and checks	34
Rape	42
Sex	49
Narcotic drug laws	57
Gambling	77

TABLE XXVI

ADDITIONAL TERMS

Terms	1948		1949		1950	
	No.	%	No.	%	No.	%
Total	101	7.1	70	5.3	73	5.7
Two terms concurrent	76	5.2	58	4.4	60	4.6
Three terms concurrent	14	1.0	7	0.5	7	0.5
Four terms concurrent	4	0.3	1	0.1	2	0.2
Five or more terms concurrent	4	0.3	3	0.2	2	0.2
Two terms consecutive	1	0.1	1	0.1	1	0.1
Two terms consecutive and one concurrent	1	0.1	0	.0		
Three terms consecutive	1	0.1	0	.0	1	0.1 more than three

TABLE XXVII

CONVICTED RATE BY OFFENSE GROUPS - 1950

Original Charge	Charged	Convicted		Convicted as charged		Convicted lesser felony		Convicted of misdemeanor	
	No.	No.	%	No.	%	No.	%	No.	%
Total	1289	1079	83.9	940	73.2	46	3.5	93	7.2
Homicide	24	18	75.0	15	62.5	2	8.3	1	4.2
Robbery	147	121	82.3	93	63.2	9	6.1	19	13.0
Aggravated assault	58	41	70.7	22	39.9	4	6.9	15	25.9
Burglary	228	213	93.4	195	85.5	8	3.5	10	4.4
Grand theft (except auto)	72	63	87.5	56	77.8	3	4.2	4	5.5
Petty theft (with prior)	5	5	100.0	5	100.0	-	-	-	-
Auto theft	43	36	83.7	32	74.5	2	4.6	2	4.6
Embezzlement and fraud	-	-	-	-	-	-	-	-	-
Stolen property	8	7	87.5	7	87.5	-	-	-	-
Forgery and bad checks	106	100	94.3	94	88.7	5	4.7	1	0.9
Rape	52	40	76.9	19	36.5	1	1.9	20	38.5
Prostitution and commercial- ized vice	2	1	50.0	1	50.0	-	-	-	-
Sex	44	30	68.2	20	45.5	2	4.5	8	18.2
Narcotic drug laws	305	258	84.6	257	84.3	1	0.3	-	-
Weapons	17	15	88.2	14	82.3	-	-	1	5.9
Offense against family or children	4	4	100.0	3	75.0	-	-	1	25.0
Abortion	9	9	100.0	7	77.8	2	22.2	-	-
Arson	2	1	50.0	1	50.0	-	-	-	-
Bigamy	3	3	100.0	3	100.0	-	-	-	-
Extortion	3	3	100.0	3	100.0	-	-	-	-
Escape	1	1	100.0	1	100.0	-	-	-	-
Kidnaping	7	7	100.0	-	-	7	100.0	-	-
Perjury	2	2	100.0	2	100.0	-	-	-	-
Driving while intoxicated	7	5	71.4	2	28.6	-	-	3	42.8
Failure to render aid	10	8	80.0	6	60.0	-	-	2	20.0
Gambling	64	44	68.7	44	68.7	-	-	-	-
Miscellaneous felony offenses	24	13	54.2	12	50.0	-	-	1	4.2
Contributing to delinquency of minor	42	31	73.8	26	61.9	-	-	5	11.9

